#### **REMARKS**:

Claims 19-37 are in the case and presented for consideration.

All of the claims have been considered allowed or allowable over the prior art if amended to satisfy the Examiner's formal objections.

Claims 19, 23, 28, 29, and 34-36 have been amended.

## OATH/DECLARATION

In response to the Examiner's comments, a new Declaration with the title of this application included is attached.

#### <u>DRAWINGS</u>

In accordance with the Examiner's comments, replacement sheets containing Figs.

16-21 in which Figs. 17-21 have been labeled as "Prior Art" are submitted with this amendment.

#### <u>ABSTRACT</u>

The Abstract has been amended in accordance with Examiner's comments and is therefore now believed to be in proper form. Additionally, a clear version of the amended Abstract is submitted with this amendment.

#### **CLAIM OBJECTIONS**

Claims 29 and 34 have been amended in accord with the Examiner's comments and are therefore now believed to be in proper form.

# REJECTION OF CLAIMS UNDER 35 U.S.C. §112

Claims 19, 23-25 and 27-36 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 19, 23, 28, 29, and 34-36 have been amended in accordance with the Examiner's comments and are therefore now believed to comply with 35 U.S.C. 112, second paragraph.

### **ALLOWABLE SUBJECT MATTER:**

Applicant gratefully acknowledges the Examiner's indication of allowed claims 20-22, 26 and 37 and allowable claims 19, 23-24 and 27-36. As mentioned above, claims have been amended in accordance with the Examiner's comments made in connection with the Office's rejection under 35 U.S.C. 112, second paragraph.

Therefore, all of the claims are now believed to be in condition for allowance.

Accordingly, the application and claims are believed to be in condition for allowance, and favorable action is respectfully requested.

No new matter has been added.

If any issues remain, the Examiner is respectfully invited to contact the undersigned at the number below, to advance the application to allowance.

Respectfully submitted, /SALVATORE P SPEZIO/ Salvatore P. Spezio Reg. No. 60,868 Attorney for Applicant (845) 359-7700

Dated: February 13, 2009

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